

Student Discipline

The Board believes that effective student discipline is a prerequisite for sound educational practice and productive learning. The objectives of disciplining any student must be to help the student develop a positive attitude toward self-discipline and socially acceptable behavior.

All policies and procedures for handling general and major student discipline problems shall be designed to achieve these broad objectives. Disorderly students shall be dealt with in a manner which allows other students to learn in an atmosphere which is safe, conducive to the learning process and free from unnecessary disruptions.

The Board, in accordance with state law, has adopted a written student conduct and discipline code based upon the principle that every student is expected to follow accepted rules of conduct and to show respect for and to obey persons in authority. The code also emphasizes that certain behavior, especially behavior that disrupts the classroom, is unacceptable and may result in disciplinary action.

Immunity for enforcement of discipline code

An act of a teacher or other employee shall not be considered child abuse if the act was performed in good faith and in compliance with Board policy and procedures.

A teacher or any other person acting in good faith and in compliance with the discipline code adopted by the Board shall be immune from civil liability unless the person is acting willfully or wantonly. It is an affirmative defense in any criminal action that a person is acting in good faith and in compliance with the discipline code.

Disciplinary information to school personnel

In accordance with state law, the principal or designee is required to communicate disciplinary information concerning any student enrolled in the school to any teacher who has direct contact with the student in the classroom and to any counselor who has direct contact with the student. The purpose of this requirement is to keep school personnel apprised of situations that could pose a risk to the safety and welfare of others.

For purposes of this policy, "disciplinary information" means confidential records maintained by or in possession of the principal or designee on an individual student which indicate the student has committed an overt and willful act which constitutes a violation of the District's code of student conduct and/or there is reasonable cause to believe, through information provided to the principal from another credible source, that the student could pose a threat to the health and safety of other students and school personnel based on prior misbehavior.

"Disciplinary information" is intended to include only that information of a serious nature that is not otherwise available to teachers and counselors as part of the education records maintained on students or other reports of disciplinary actions. It is appropriate for instructional staff members to request disciplinary information from the principal or

designee on students in their classrooms if there is concern that the student poses a threat to the safety of other students or school officials.

Any teacher or counselor to whom disciplinary information is reported shall maintain the confidentiality of the information and shall not communicate it to any other person. The principal or designee is required to inform the student and the student's parent or guardian when disciplinary information is communicated and to provide a copy of the disciplinary information. The student and/or the student's parents or guardian may challenge the accuracy of disciplinary information through the administrative regulations which accompany this policy.

The District may share factual information regarding a behavior incident with parents of victims and witnesses as long as the disclosure does not indicate whether the perpetrator was found to be at fault or whether the perpetrator received any disciplinary consequences of the behavior.

Remedial discipline plans

The principal may develop a remedial discipline plan for any student who causes a material and substantial disruption in the classroom, on school grounds, in school vehicles or at school activities or events. The goal of the remedial plan shall be to address the student's disruptive behavior and educational needs while keeping the child in school.

Discipline of habitually disruptive students

Students who have been suspended three times for causing a material and substantial disruption in the classroom, on school grounds, in school vehicles or at school activities or events three times during the school year in violation of their individual remedial discipline plans shall be declared habitually disruptive students. Any student enrolled in District schools may be subject to being declared a habitually disruptive student which may result in expulsion.

No student shall be declared habitually disruptive prior to the development and implementation of a remedial discipline plan. The remedial discipline plan is to address the child's disruptive behavior and their educational needs with the goal of keeping the child in school.

Discipline of special education students

Appropriate discipline for special education students shall be in accordance with the student's individual education plan (IEP), any behavior intervention plan and this policy. In order to comply with all state and federal laws, the special education director shall be contacted prior to the use of any disciplinary measure which is not authorized by the student's IEP or behavior intervention plan.

Distribution of conduct and discipline code

The superintendent shall arrange to have the conduct and discipline code distributed once to each student in elementary, middle and high school and once to each new

student in the District. Copies shall be posted in each school of the District. In addition, any significant change in the code shall be distributed to each student and posted in each school.

The Board shall consult with administrators, teachers, parents, students and other members of the community in the development of the conduct and discipline code.

Adopted February 28, 1969
Revised January 19, 1976
Revised August 8, 1984
Revised September 29, 1993
Revised September 25, 1996
Revised January 14, 1998
Revised September 9, 1998
Revised January 12, 2005
Revised August 12, 2009

LEGAL REFS.: C.R.S. 18-6-401 (1) Definition of child abuse
C.R.S. 22-32-109.1 (2)(a) Adoption and enforcement of discipline code
C.R.S. 22-32-109.1(2)(a)(III) Discipline of habitually disruptive students is required part of safe schools plan
C.R.S. 22-32-109.1 (3) Agreements with state agencies
C.R.S. 22-32-109.1 (9) Immunity provisions in safe schools law
C.R.S. 22-32-126 (5) Disciplinary information to staff
C.R.S. 22-33-106 (1)(a-e) Grounds for suspension, expulsion and denial of admission
C.R.S. 22-33-106 (1) (c.5) Habitually disruptive students
C.R.S. 22-33-202 Identification of at-risk students
Jensen v. Reeves, United States Court of Appeals for the 10th Circuit, Case # 99-4142, by Murphy, J.; Anderson, J.; and Kane, J. entered February 9, 2001. (schools can disclose disciplinary information to victims and witnesses in some circumstances)

CROSS REFS.: GBG, Liability of School Personnel/Staff Protection
JIC, Student Conduct, and subcodes
JK, Student Discipline, and subcodes (all relate to student discipline)
JKD/JKE-2, Suspension/Expulsion of Students with Disabilities
JKBA, Disciplinary Removal from Classroom
JRA/JRC, Student Records/Release of Information on Students

CONTRACT REF.: SVVEA Agreement, Article 18–Student Discipline

St. Vrain Valley School District RE-1J, Longmont, Colorado